

**ENTERED**

August 11, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**OLLIE JEWEL WILLIAMS,**

**Plaintiff,**

**VS.**

**WAL-MART STORES TEXAS, LLC,**

**Defendant.**

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**Civil Case No. 4:22-CV-04456**

**ORDER OF DISMISSAL**

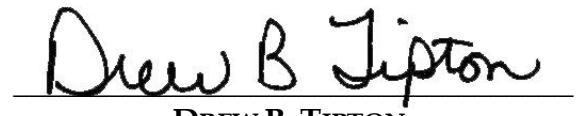
On July 19, 2023, the Court set a hearing on a discovery dispute. Plaintiff's attorney failed to appear. Plaintiff's attorney had also been instructed by the Court to file a response to the letter initiating the discovery dispute, which they failed to do. The Court set a show cause hearing on August 11, 2023 at 2:30 p.m. in Courtroom 8B so that the Plaintiff could demonstrate why this case should not be dismissed for failure to prosecute. (Dkt. No. 13). The Court warned: "If Plaintiff's attorney fails to appear, the Court will dismiss this case." (*Id.*). Plaintiff failed to appear. At the hearing, Defendant's counsel stated that Plaintiff's counsel said previously that they intended to dismiss this action.

The Court has the authority to dismiss a case for want of prosecution and failure to comply with its orders. Fed. R. Civ. P. 41(b) (providing for dismissal of an action "[i]f the plaintiff fails to prosecute or [ ] comply with [the Federal Rules of Civil Procedure] or a court order"). The Court finds that Plaintiff has failed to prosecute this case and has

failed to comply with orders of this Court. Accordingly, Plaintiff's claims are  
**DISMISSED WITHOUT PREJUDICE.**

It is SO ORDERED.

Signed on August 11, 2023.

  
Drew B. Tipton  
DREW B. TIPTON  
UNITED STATES DISTRICT JUDGE